

**CONDITIONS OF APPROVAL - EXHIBIT B
FOR DEVELOPMENT PLAN/COASTAL DEVELOPMENT PERMIT
SUB2013-00038 / PORTWOOD**

Approved Development

1. This approval authorizes a Tentative Parcel Map (CO13-0092) and Development Plan/Coastal Development Permit to allow a two-story mixed-use development consisting of two (2) airspace condominium units to include:
 - a. 4,841 square feet of commercial space on the first floor (street level).
 - b. 4,105 square feet of residential space on the second floor.
 - c. 1,358 square feet of second-story deck space attached to the second floor residential unit.
 - d. 1,973 square foot rooftop deck accessible only by the residential unit.
 - e. Approximately 900 square feet of roof mounted solar panels.
 - f. 4,573 square foot below ground level parking and storage for primary use of the residence.
 - g. Maximum height is 25 feet above the sidewalk of the main street frontage (Front Street; measured from the back of sidewalk.)

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored. All proposed lighting and fixtures shall be consistent Section B.12 - Front Street Commercial District Area Standards of the Avila Beach Specific Plan.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the Cal Fire for this proposed project and dated March 5, 2014.

Services

5. **At the time of application for construction permits**, the applicant shall provide a letter from the Avila Beach Community Services District stating they are willing and able to service the property.

Stormwater Pollution Prevention

6. **At the time of application for construction permits**, the applicant shall submit a Stormwater Control Plan (SCP). The plan shall outline the runoff reduction measures used when developing the site plan. The SCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a drainage plan, and a sedimentation and erosion control plan. The applicant shall submit complete drainage calculations for review and approval.
7. **At the time of application for construction permits**, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for review and approval by the County.

Signage (Commercial Development)

8. **At the time of application for construction permits**, the applicant shall submit a signage plan consistent with the design guidelines and standards outlined in the Avila Beach Specific Plan and Section 23.04.300 of the Coastal Zone Land Use Ordinance.

Conditions to be completed prior to issuance of a construction permit

Fees

9. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.
10. **Prior to issuance of a construction permit, (if not previously paid with the parcel map)** the applicant shall pay the housing impact fee (inclusionary housing) as required by Section 23.04.096, or may defer fee payment pursuant to Section 23.04.096(j)(4). As an alternative the applicant may provide housing units or a land donation, pursuant to Section 23.04.096(f)(3)(iii).
11. **Prior to issuance of a construction permit**, the applicant shall pay to the order of the County of San Luis Obispo the Front Street Commercial District in-lieu parking fee for the proposed commercial unit at a ratio of \$1,243 per 300 square feet of commercial space; a total of \$19,888.

Grading, Drainage, Sedimentation and Erosion Control

12. **Prior to issuance of construction permits**, if grading is to occur between October 15 and April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.

Stormwater Pollution Prevention

13. **Prior to issuance of construction permits**, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Conditions to be completed prior to occupancy or final building inspection/establishment of the use

14. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from Cal Fire of all required fire/life safety measures.
15. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

16. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
17. All conditions of this approval run with the land and shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

Archaeological Resources

18. In the event archeological resources are unearthed or discovered during any construction activities, the standards of Section 23.05.140 of this title shall apply. Construction activities shall not commence until a mitigation plan, prepared by a qualified professional archaeologist reviewed and approved by the Environmental Coordinator, is completed and implemented. The County will provide pertinent project information to the affected Native American tribe(s) and consider comments prior to approval of the mitigation plan. The mitigation plan shall include measures to avoid the resources to the maximum degree feasible and shall provide mitigation for unavoidable impacts. A report verifying that the approved mitigation plan has been completed shall be submitted to the Environmental Coordinator prior to occupancy or final inspection, whichever occurs first.

Fees

19. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code the applicant shall be responsible for paying to the Department of Public Works the Avila Beach Road Improvement Fee for each future building permit in the amount prevailing at the time of payment.